

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish
Policies and Cost Recovery Mechanisms for
Generation Procurement and Renewable
Resource Development.

Rulemaking 01-10-024
(Filed October 25, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING DIRECTING
THE UTILITY REFORM NETWORK TO PROVIDE A CLARIFICATION
OF ENERGY FOUNDATION GRANTS RELATING TO ITS REQUEST
FOR INTERVENOR COMPENSATION**

The Utility Reform Network (TURN) requests an intervenor compensation award of \$128,530.80 for its contributions to six Commission decisions (Decision 03-02-034, et al) in the above rulemaking and for its participation in the related Procurement Review Group (PRG) of the three major investor-owned electric utilities. The bulk of TURN's request involves compensation for work performed in developing renewable energy policies and a Renewable Portfolio Standard (RPS) for California.

It has come to our attention that, during the period 2000-2003, TURN received at least three funding grants from the Energy Foundation¹, totaling approximately \$125,000. All of these grants, in whole or in part, are

¹ The Energy Foundation, founded in 1991, is a partnership of other major foundations developed to promote renewable and sustainable energy. Others include the MacArthur Foundation, the Pew Charitable Trusts and the Rockefeller Foundation. Programs include the Climate Program and China Sustainable Energy Program.

specific to the development of renewable energy policies and the RPS in California. By this ruling, TURN is directed to submit a clarification to its intervenor compensation award request, explaining the relationship of the Energy Foundation grants to the intervenor request and to provide a record of how Energy Foundation grant funds were used by TURN.

Background

The Commission opened R. 01-10-024 to establish ratemaking mechanisms to enable California's major electric utilities to resume purchasing electricity and related services in the aftermath of the energy crisis. The rulemaking also solicited proposals on how renewable resources would be included in energy procurement plans. Various interim decisions in this rulemaking allowed the utilities to enter into interim short-term and long-term procurement contracts and also established policies and procedures relating to renewable energy procurement and the development of the RPS in California.

TURN filed its request for intervenor compensation on August 22, 2003, describing its contribution to and participation in the rulemaking and related decisions. No explanation was provided relating to grants from the Energy Foundation for development of renewable energy policies in California. A review of the Energy Foundation's public web-site shows that TURN received \$125,000 in grants since the year 2000 specific to the development of the RPS and renewable energy policies in California. One of the grants (\$50,000) applied jointly to both California and New York.

Considering the number and funding level, it is reasonable to direct TURN to clarify how grants from the Energy Foundation, or any related foundations or organizations, were used. This clarification should include a comparison of

work funded by the grants and work funded by intervenor awards relating to renewable energy policies in California.

Therefore, **IT IS RULED**, that within 45 days, The Utility Reform Network is directed to submit a clarification to its request for \$128,530.80 in intervenor compensation. This clarification shall include: an explanation and accounting of grant monies received from the Energy Foundation, or any related organizations; a listing of projects on which the grant money was used; and a comparison to projects for which intervenor compensation is being requested from this Commission. The time period covered by the amendment shall be for the years 2000-2003.

Dated November 20, 2003, at San Francisco, California.

/s/ KENNETH L. KOSS

Kenneth L. Koss
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Directing the Utility Reform Network to Provide a Clarification of Energy Foundation Grants Relating to Its Request for Intervenor Compensation on all parties of record in this proceeding or their attorneys of record.

Dated November 20, 2003, at San Francisco, California.

/s/ ELIZABETH LEWIS
Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

R.01-10-024 KLK/hl2

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.